

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MIKE R. GUTIERREZ,

Defendant.

4:03CR3147

DETENTION ORDER

Defendant has failed to meet the burden of showing, by clear and convincing evidence pursuant to 18 U.S.C. § 3143 (a) and Fed. R. Crim. P. Rule 32.1(a)(6) that Defendant will appear at court proceedings and will not pose a danger to the safety of any person or the community if released. The Court's findings are based on the evidence presented in court and contained in the court's records, including the Petition. Specifically, Defendant has failed to take ownership of his alcohol addition and is not considered amenable to treatment. He chose not to be placed at Dismas, stating he preferred to just serve his time.

IT IS ORDERED:

- 1) The above-named defendant shall be detained until further order.
- 2) Defendant is committed to the custody of the Attorney General for confinement in a corrections facility; the defendant shall be afforded reasonable opportunity for private consultation with counsel; and on order of a court of the United States, or on request of an attorney for the government, the person in charge of the facility shall deliver Defendant to a United States Marshal for appearance in connection with a court proceeding.

November 1, 2019.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge